

# MARYLAND ACUPUNCTURE BOARD

## Newsletter

### Winter 2013

#### BOARD CONTACT NUMBERS:

**TELEPHONE:**  
410-764-4766

**TOLL FREE:**  
1-800-530-2481

**FAX:**  
410-358-7258

#### WEBSITE:

www.dhmf.state.  
md.us/bacc

#### ADDRESS

4201 Patterson  
Avenue  
Baltimore, MD  
21215  
Room 320

### **THE BOARD CAN NOT ADVISE LICENSEES ON PROPER INSURANCE BILLING CODES OR HOW TO RESOLVE INSURANCE DISPUTES**

The Board of Acupuncture receives many questions from practitioners regarding what codes they should use to bill an insurance company or how to resolve insurance issues/disputes. Please be advised that the Board does not regulate insurance and has no jurisdiction to assist you on these matters.

All insurance coverage questions and coding issues should be discussed directly with the insurance company. The Board will act on violations concerning insurance fraud as cited in its Code of Ethics. This would include providing inaccurate information to your patient or an insurance company to reap financial profit (see page 2). To seek assistance with insurance issues, the Board advises that you seek advice from your attorney or the Maryland Insurance Administration.

### **BOARD MEMBER WANTED: PRACTITIONER VACANCY**

The appointment term of **Steve Kaufman** on the Maryland State Board of Acupuncture, expires on June 30, 2013. Mr. Kaufman has served both terms and is not eligible for reappointment.

Pursuant to Section 1A-202 of the Health Occupations Annotated Code of Maryland quotes:

"(c) Same - Vacancies – For each vacancy of an acupuncture member, the Board shall compile a list of names to be submitted to the Governor in the following manner: (1) The Board shall notify all licensed acupuncturists in the State of the vacancy to solicit nominations to fill the vacancy; (2) Each professional association of acupuncturists in the State shall nominate at least one person for every two vacancies that exist; and (3) Each education institution that provides acupuncture training in the State shall nominate at least one person for every two vacancies that exist".

If you would be interested in serving on the Board, please contact the Board at (410) 764-4766 by **April 1, 2013** to obtain an application.

The Governor appoints members of the Board of Acupuncture for a term of three years. Each member may not serve more than two consecutive terms. The Board meets the second Tuesday of every other month from 1:00 p.m. until 4:00 p.m. A Board member may be required to meet or teleconference for committee meetings at various times throughout the month. Some committees, like the Disciplinary Committee, are more active than others.

**Note: Applicants for Board membership must be a Maryland resident who has been licensed in Maryland and has practiced acupuncture for at least 5 years immediately prior to their appointment.**

#### Individual Highlights:

Advice on Insurance	
Disputes/ Board vacancy	1
Insurance Fraud /Address	
Name Change	2
Sanity Precautions	3
Duplicate License	4
Board meeting schedule/	
Renew on Time	5

## Billing/Insurance Fraud

Billing/Insurance fraud is the deliberate billing for services to a patient that were never rendered, were past dated, were not medically necessary, unfairly priced or do not conform to professionally recognized standards.

Some examples of fraud are:

- Billing for services, procedures, herbs or supplements that were not provided or unnecessary.
- Misrepresentation of services or treatments that were provided.
- Post or pre-dating a service
- Billing separately for procedures that normally are covered by a single fee.
- Double billing: Charging more than once for the same service.
- Upcoding: Charging for a more complex service than was performed.
- Miscoding: Using a code number that does not apply to the procedure.
- Kickbacks: Receiving payment or other benefit for making a referral.

The Board's regulation, **COMAR 10.26.03.04.B**, specifically states that

B. A licensee may not:

- (1) Accept a client for treatment, or continue unnecessary treatment, when the patient cannot be reasonably expected to benefit from the treatment;
- (2) Receive remuneration from, or split a fee for, either making or accepting a referral of the patient to another health care practitioner;
- (3) Make a guarantee or promise about the efficacy of a particular treatment, the licensee's practice, or the result of a treatment unless supported by scientific principles accepted by the profession; or
- (4) Exploit the professional relationship by:
  - (a) Continuing treatment unnecessarily;
  - (b) Charging for a service:
    - (i) Not provided, or
    - (ii) Different from those actually provided.

### **FAILURE TO NOTIFY BOARD ON ADDRESS CHANGE**

#### **\$50.00 FINE**

Failure to notify the Board of a change in address will result in a \$50.00 fine. A change in your address can be submitted by mail or email. Whenever the Board receives returned mail from the United States Postal Service, you will automatically receive a fine notice from the Board. Failure to pay the fine may result in disciplinary action against your license.

### **NAME CHANGE REQUESTS**

The Board will change a licensee's name only when a request is received in writing and proper legal documentation is attached (example: marriage/divorce certificate). Without this documentation, the Board will not reflect the change. Email requests for name changes will not be accepted.

## SANITARY PRECAUTIONS IN AN ACUPUNCTURE OFFICE

The Maryland Acupuncture Board has elected to refrain from listing every precaution that an acupuncturist must take to ensure safe conditions in their office. However, the Board feels strongly about several precautionary measures and wishes to highlight them as follows:

### Disposal /Sterilization of Needles

The Board requires that needles be sterile and completely free of micro-organisms. The Board recommends that Maryland licensed acupuncturists use disposable needles. Special care and caution must be exercised by acupuncturists in the use and disposal of needles or sharps.

**ALWAYS** place used sharps in a puncture-resistant, leak-proof container designated for sharps disposal. **DO NOT** place sharps in regular trash receptacles. Containers for sharps disposal must be closed (lid or cover closed and sealed with tape) and submitted for waste pickup when they are no more than  $\frac{3}{4}$  full. Never overfill or force items into these containers.

Improper management of discarded needles and other sharps can pose a health risk to the public and waste workers. For example, discarded needles may expose waste workers to potential needle stick injuries and potential infection when containers break open inside garbage trucks or needles are mistakenly sent to recycling facilities. Janitors and housekeepers also risk injury if loose sharps poke through plastic garbage bags. Used needles can transmit serious diseases, such as HIV and hepatitis.

Most manufactured sharps containers can be purchased at local pharmacies. Below are several ways to safely dispose of used sharps when safely stored in an approved manufactured sharps container. There may be a fee for this service.

- **Drop Box or Supervised Collection Sites**

Sharps users can take their own sharps containers filled with used needles to appropriate collections sites: doctors' offices, hospitals, pharmacies, health departments, or fire stations. Services are free or have a nominal fee. Check with your pharmacist or other health care provider for availability in your area.

- **Mail-back Programs**

Sharps users place their used sharps in special containers and return the container by mail to a collection site for proper disposal. This service usually requires a fee. Fees vary, depending on the size of the container. Check with the yellow pages, or search the Internet using keywords "sharps mail back."

If a practitioner uses needles that are not disposable, the Board recommends the use of a steam autoclave at 250 degrees F. and 15 lbs. pressure for 30 minutes, after which the pressure is rapidly released. Materials sterilized in an autoclave must be allowed to dry off before they are removed. Wet packing can wick up contamination if it touches a non-sterile surface or is exposed to airborne organisms. Please note that boiling and alcohol soaking are not acceptable methods.

### Clean Sheets

The Board recommends that any paper or other disposable material used as a covering on a chair, seat or table and any towel, cloth, sheet or gown or other article that comes in contact with a patient's skin must be clean and not previously used in connection with any other patient unless laundered after use.

Laundering with hot water and soap detergent are acceptable, but chlorine bleach provides an extra margin of safety.

## BOARD COMPOSITION

### BOARD MEMBERS

#### CHAIR:

**Steven Kaufman, L.Ac.**

PROFESSIONAL MEMBER

#### VICE CHAIR:

**Corinne Axelrod, L.Ac.**

PROFESSIONAL MEMBER

\*\*\*\*\*

**Kate Carter, L.Ac.**

PROFESSIONAL MEMBER

**Deneb Falabella, L.Ac.**

PROFESSIONAL MEMBER

**Grant Zhang, L.Ac.**

PROFESSIONAL MEMBER

**Jan Exler**

CONSUMER MEMBER

**Charles Neustadt.**

CONSUMER MEMBER

\*\*\*\*\*

### STAFF

#### EXECUTIVE DIRECTOR:

**Penny K. Heisler**

[heislerp@dhmh.state.md.us](mailto:heislerp@dhmh.state.md.us)

#### ADMINISTRATIVE ASSISTANT:

**Cynthia Dobbins**

[dobbinsc@dhmh.state.md.us](mailto:dobbinsc@dhmh.state.md.us)

#### BOARD COUNSEL:

**Noreen Rubin, AAG**

### **SANITARY PRECAUTIONS IN AN ACUPUNCTURE OFFICE** (continued)

#### Hand Washing

The Board requires that acupuncturists wash their hands between patients, immediately before acupuncture treatment and after contact with blood or body fluids or obvious environmental contaminants.

Hand washing should include a vigorous rubbing together of well-lathered hands for at least 10 seconds, followed by rinsing under a stream of running water. Ordinary soap or detergent is satisfactory in most cases.

Washing with anti-microbial products is advised before treating patients who are severely immuno-compromised such as patients with AIDS or who are undergoing chemotherapy.

#### Office Surfaces and Equipment

Disinfectants are recommended for office surfaces and equipment. Please note that they will not kill all germs or spores, but they will reduce the danger of infection.

Clorox, Cidex, Lysol, and Microquat are common disinfectants that will neutralize most viruses, including Hepatitis B. These solutions lose strength over time and must be remade at specified intervals. Be sure to check expiration dates periodically as these solutions cannot be stored indefinitely.

## **IMPORTANT** DUPLICATE LICENSES

The Board would like to remind licensees that you are **required to post an official license in every office, clinic, or practice setting in which you are working.** It is no longer permissible to post Xerox or scanned copies of your license in your office. The Board will furnish an official duplicate of your license to any licensed acupuncturist who currently resides in Maryland, free of cost.

**The duplicate license request must be made in writing and an address must be given for each duplicate license requested.** Only one duplicate will be granted for each office. If at any time a license is lost or destroyed, you may request a duplicate, in writing, stating the circumstance under which the license was lost or destroyed.

## Board Meeting Schedule

The Board of Acupuncture traditionally meets on the second Tuesday of every other month, starting at 1:00 p.m. Scheduled months are September, November, January, March, May, and July. The 2012 schedule is as follows:

January 8, 2013  
March 12, 2013  
May 14, 2013  
July 9, 2013  
September 10, 2013  
November 12, 2013

All meetings are held at 4201 Patterson Avenue in Baltimore, usually at 1 PM on the first floor. These meetings are open to the public and you are encouraged to attend. Please call the Board before the meeting to confirm the proper time and room number.

### VERIFICATION OF LICENSE TO ANOTHER STATE

To provide verification of your acupuncture license to another state, please send your verification request or form (available on website) directly to the Board with a \$20 check made payable to the Maryland Acupuncture Board. You must provide your name, license number and the state to which you would like the verification mailed. Please ensure that you provide the State's address and phone number.

---

**MARYLAND  
ACUPUNCTURE BOARD**  
4201 Patterson Ave  
Baltimore, MD 21215  
Unit 252